

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Revision of the Commission's Rules	)	CC Docket No. 94-102
To Ensure Compatibility with Enhanced	)	RM-8143
911 Emergency Calling Systems	)	

**REPLY COMMENTS OF VERIZON WIRELESS**

Verizon Wireless supports the Petition for Reconsideration filed by the Alliance for Telecommunications Industry Solutions (“ATIS”) on behalf of its Emergency Services Interconnection Forum (“ESIF”) in the above captioned proceeding. The alternative solution provided by ESIF deserves serious consideration on its merits. As a wireless carrier charged with deploying technology to implement various technically challenging regulatory mandates like CALEA, Local Number Portability (“LNP”), Thousands-Block Number Pooling (“TBNP”), and Enhanced 911, Verizon Wireless strongly prefers ESIF’s standards-based proposal for dealing with non-initialized handsets.<sup>1</sup> In this manner, wireless carriers and their vendors can develop compliant, compatible technology from a known baseline.

Verizon Wireless worked with certain vendors early on to ensure delivery of the Annex C feature as part of the switch software package it received for LNP and TBNP. Annex C was fully vetted by an industry standards body, which considers possible impacts to other technical specifications mandated by the J-Std-36 and

telecommunications network capabilities. Annex C accommodates MIN/MDN separation and provides the 7-digit ESN to PSAPs that can be used to identify handsets used to make harassing or prank calls. Given the advantages of Annex C, at a minimum, the FCC should provide carriers the flexibility to employ this solution. This option is especially important for carriers such as Verizon Wireless that have already undertaken implementation of the Annex C solution as part of the software load purchased for timely compliance with other important regulatory mandates. It is not necessary for the Commission to limit carriers to one solution, especially if that means foreclosing availability of Annex C.

## **I. BACKGROUND**

The Commission initially sought comments on how call-back capability could be achieved for non-initialized phones.<sup>2</sup> The Commission sought further comments to resolve some of the conflicting information provided in the docket regarding the technical constraints for providing call-back capability.<sup>3</sup> The Commission's efforts resulted in the following conclusions and resolutions in a *Report and Order* that is the subject of ESIF's Petition for Reconsideration:

- The FCC correctly concluded that based on the record, it could not require carriers and manufacturers to develop and implement a call-back solution.<sup>4</sup> This conclusion was based both on the lack of information regarding the scope of the

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<sup>1</sup> ESIF's proposal is based on Annex C of the J-Std-36. Under the standard, PSAPs would receive 911+ ESN digits for each non-initialized handset.

<sup>2</sup> See "Comment Sought on Request for Further Consideration of Call Back Number Issues Associated With Non Service Initialized Wireless 911 Calls," CC Docket No. 94-102, *Public Notice*, DA 00-1098 (rel. may 18, 2000), 65 Fed. Reg. 35601 (June 5, 2000).

<sup>3</sup> See In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Further Notice of Proposed Rulemaking*, RM-8143 (rel. May 25, 2001).

<sup>4</sup> See In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, *Report and Order*, 17 FCC Rcd 8481 (2002) at ¶¶8-11.

problem and the record information that any technical solution would require extensive changes to wireless networks, at significant cost.<sup>5</sup>

- The Commission placed two requirements on carrier-sponsored programs where non initialized phones are donated and on manufacturers of 911-only phones: 1) Non initialized phones donated through a carrier-sponsored program and newly manufactured 911 only phones must have 123-456-7890 programmed as its telephone number/mobile identification number (“MIN”). Carriers must complete any necessary network programming to deliver 123-456-7890 to PSAPs to alert them to the fact that the call is being made from a non initialized handset for which call-back is unavailable; 2) The FCC also required that labels be affixed to each non-initialized /911 only handset along with public education campaigns.

The FCC recognized that some carriers, like Verizon Wireless, have donor programs that only employ service-initialized phones.<sup>6</sup> The Commission’s new requirements seemed to minimally impact such carriers. However, the FCC’s decision inadvertently conflicts with another technical solution, described in Annex C of the J-Std-36, that has been incorporated into some vendors’ products developed for compliance with various regulatory mandates.

For example, compliance with the FCC’s *Report and Order* would require Verizon Wireless’s vendors to remove or turn-off the Annex C feature functionality so that VZW’s network will allow the 123-456-7890 digits to be passed to PSAPs as the MIN for non-initialized handsets instead of 911+ ESN digits. The FCC should allow use of the Annex C solution because it avoids some of the disadvantages associated with using NANP formatted digits like 123-456-7890.

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<sup>5</sup> *Id.* at ¶ 11. The *Report and Order* recognized that in order to process 911 calls from non initialized handsets, carriers bypass call validation, authentication, and registration features normally associated with call processing. The FCC rejected the technical proposals raised in the docket because they were not viable solutions (e.g., TLDN approach, Pseudo MIN approach). *Id.* at ¶¶13-20.

<sup>6</sup> *Report and Order* at ¶ 30, quoting Verizon Wireless’s reply comments to the *Further Notice*.

## **II. THE RECORD ESTABLISHES THE DISADVANTAGES OF THE COMMISSION'S SOLUTION**

Commentors point out that the ESIF proposal was published in August of 2000 as a joint standard by the Telecommunications Industry Association (“TIA”) and ATIS and is contained in Annex C of the J-Std-36 entitled “Enhanced Wireless 9-1-1 Phase 2.”<sup>7</sup> In addition to the obvious benefits of a standardized solution, Annex C avoids some problems associated with the current 10-digit number adopted by the FCC. Programming phones with the digits 123-456-7890 as the MIN removes resources from the international roaming MIN (“IRM”) assignment pool.<sup>8</sup>

In addition, programming a new series of digits limits the application of the FCC’s scheme because it does not reach phones already in the public domain and beyond a carriers’ reach – such as older, unused non-initialized phones. Previous generations of non-initialized phones will still be used to make emergency calls and will not be able to be detected. Lastly, requiring carriers to program the same digits into all donated phones does not help public safety to identify harassing callers and achieves marginal benefit for alerting call-takers to the need for special handling beyond current methods.<sup>9</sup>

## **III. THE FCC SHOULD GIVE CARRIERS THE FLEXIBILITY TO IMPLEMENT THE ANNEX C SOLUTION**

Verizon Wireless requested that its vendors develop products for TBNP and LNP that incorporate the Annex C feature. The implementation of a non-standard solution to the exclusion of Annex C would, at a minimum, require Verizon Wireless and its vendors

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<sup>7</sup> See Intrado comments at 2, Remote MDx, Inc. at 2.

<sup>8</sup> In general, the FCC should avoid utilizing any NANP formatted numbers for this purpose given the need to preserve NANP resources and forestall NANP expansion.

to evaluate the impact on the network given the current software package and/or whether other development work would be necessary. Verizon Wireless is concerned about the potential for delay if it is required to reevaluate its TBNP and LNP software package at this juncture.

Sprint's comments stated that Annex C is informative in nature and is not a required part of the standard, and consequently may not be available in some vendor software.<sup>10</sup> However, Annex C is already resident in products being tested in a First Office Application between Verizon Wireless and two of its infrastructure vendors. Verizon Wireless is also concerned that merely changing the digits selected by the Commission to avoid depleting the IRM assignment pool does not solve another underlying problem: the Commission's solution would still conflict with vendors' products that already incorporate the Annex C feature as a solution for calls from non-initialized phones.

Specifically, carriers' switches that utilize software products with the Annex C feature will not recognize and route some other series of digits programmed into non-initialized phones. The Annex C feature, where implemented, will cause 911 + ESN digits to be passed to PSAPs for non-initialized handsets instead of the Commission's chosen digits. The Commission should evaluate the merits of the standards-based Annex C solution and should not foreclose carriers' flexibility to implement this software feature.

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<sup>9</sup> In fact, according to Intrado, the FCC's approach may be counterproductive. Call takers are already trained to recognize and provide special handling to calls with the digits 911 in the call message string. *See* Intrado comments at 3.

<sup>10</sup> Sprint comments at 5.

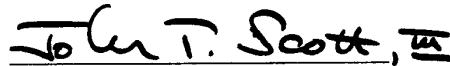
#### **IV. CONCLUSION**

For the foregoing reasons, Verizon Wireless supports the ESIF proposal, Annex C of the J-Std-36, as a viable alternative to requiring carriers to program 123-456-7890 into non-initialized handsets and E911-only phones and programming wireless networks to deliver 123-456-7890 to the PSAPs as the MIN. The FCC should not limit carriers' flexibility to implement the Annex C software feature.

Respectfully submitted,

**VERIZON WIRELESS**

**By:**

A handwritten signature in black ink that reads "John T. Scott, III". The signature is written in a cursive style with a horizontal line underneath the name.

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### **Certificate of Service**

I hereby certify that on this 19<sup>th</sup> day of August a copy of the foregoing “Reply Comments of Verizon Wireless” in CC Docket 94-102 was sent by U.S. mail to the following party:

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A handwritten signature in black ink, reading "Sarah E. Weisman", written over a horizontal line.

Sarah E. Weisman